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EXPRESS MAIL CERTIFICATE

Date 5/18/01Label No. 4706740622US

I hereby certify that, on the date indicated above, this paper or fee was deposited with the U.S. Postal Service & that it was addressed for delivery to the Assistant Commissioner for Patents, Washington, DC 20231 by "Express Mail Post Office to Addressee" service.

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Customer No.:



07278

PATENT TRADEMARK OFFICE

Docket No: 3118/1H146US1

DARBY & DARBY P.C.

805 Third Avenue
New York, New York 10022
212-527-7700

Box PATENT APPLICATION
Assistant Commissioner for Patents
Washington, DC 20231

Sir:

RECEIVED
MAY 24 2001
OIF/E/JCWS

Enclosed please find an application for United States patent as identified below:

Inventor/s (name ALL inventors): Robert D. Mass
Mill Valley, CA

Title: GENE DETECTION ASSAY FOR IMPROVING THE LIKELIHOOD OF AN
EFFECTIVE RESPONSE TO AN ERBB ANTAGONIST CANCER THERAPY

including the items indicated:

1. Specification and 23 claims: 4 indep.; 19 dep.; 1 multiple dep.; including 33 page(s) of written description; 4 page(s) of claims; 1 page(s) of abstract.
2. Drawings, 1 sheets (Figs.)
3. Executed Declaration/Power of Attorney
 Unexecuted Declaration/Power of Attorney
4. Application Data Sheet under 37 C.F.R. §1.76.

5. Assignment for recording to:

Assignment was recorded at Reel No. , Frame No. , on .

Pursuant to 37 C.F.R. §1.215(b), please print the following assignment information on the face of the published application:

Assignee: Genentech Inc.

6. The applicant claims small entity status.

7. Priority is claimed under 35 U.S.C. §119(b) of:

Country:

Number:

Date:

A certified copy of the prior document is enclosed will follow was filed in a previous application.

8. Priority is claimed under 35 U.S.C. §119(e) of:

Number: 60/205,754

Date: May 19, 2000

A certified copy of the prior document is enclosed will follow was filed in a previous application.

9. Request and Certification under 35 U.S.C. §122(b)(2)(B)(i) for Nonpublication.

10. Payment in amount of \$844.00, (\$844 filing; \$0 recording)
in the form of
 check
 deposit account no. 04-0100
 credit card (see attached form)

(See attached **Fee Computation Sheet**)

11. Preliminary Amendment
12. Information Disclosure Statement
13. Nucleotide or Amino Acid Sequence Listing.

Hard Copy CRF

Date: May 18, 2001

Respectfully submitted,


Raina Semionow
Raina Semionow, Esq.
Reg. No. 39,022
Attorney for Applicant(s)

Docket No. 3118/1H146US1

Serial No. To Be Assigned

Docket No. 3118/1H146US1

PATENT FEE COMPUTATION SHEET

No. of Claims Presented	Extra Claims Previously Paid For	Number of Extra Claims	Rate
Basic Fee			\$710.00
Total Claims 23 - 20	- 0 = 3	x \$18.00	\$54.00
Independent Claims 4 - 3	- 0 = 1	x \$80.00	\$80.00
Multiple Dependent Claims	- if so, add	\$270.00	\$0.00
 S			
Surcharge for late submission of filing fee and/or declaration (\$130.00)			\$0.00
 S			
SUBTOTAL			\$844.00
 S			
Small Entity REDUCTION (Half of Subtotal)			\$0.00
 F			
Fee for recordation of assignment (\$40.00)			\$0.00
 C			
Charge for filing non-English language application (\$130.00)			\$0.00
 T			
TOTAL			\$844.00
 I			